

Entered - 06/22/00 - sb
CL00L0385 - DIANNE C. MITCHELL

CLAIM OF: JERRI DUNCAN GILL,
through her attorney,
William D. Temple, Sr.
Suite 100
3576 Covington Highway
Decatur, Georgia 30032-1892

00- R-1600

For damages alleged to have been sustained as a result of personal injuries
received in a fall on an escalator at the Airport Marta Station on December
11, 1999.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0385

Date: September 28, 2000

Claimant /Victim JERRI DUNCAN GILL
BY: (Atty) William D. Temple, Sr.
Address: Suite 100, 3576 Covington Highway, Decatur, Georgia 30032-1892
Subrogation: Claim for Property damage \$ Bodily Injury \$ 50,000.00
Date of Notice: 06/09/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/11/99 Place: Atlanta Airport MARTA Station
Department Aviation Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges she was injured when she fell on an escalator in the Airport MARTA Station. The investigation determined that this area is under the exclusive control of MARTA. The claim has been forwarded to MARTA for handling and the claimant's attorney has been notified of this action.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver


BASIS OF RECOMMENDATION:

Function: Governmental Ministerial
Improper Notice More than Six Months Other Damages reasonable
City not involved X Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager:  Concur/date 09-28-00
Committee Action: Council Action

TEMPLE, STRICKLAND & DINGES
ATTORNEYS AT LAW
A PARTNERSHIP
INCLUDING A PROFESSIONAL CORPORATION
3576 COVINGTON HIGHWAY
SUITE 100
DECATUR, GEORGIA 30032-1892

M. F. Law
06/13/00
DM

WILLIAM D. TEMPLE, SR., P.C.
WILLIAM D. STRICKLAND
WILLIAM A. DINGES
JASON B. SCHWARTZ

ENTERED - 6-22-00 - SB
00L0385 - DIANNE MITCHELL

TELEPHONE (404)296-6692
FAX (404)296-6045

June 6, 2000

Via Certified Mail No. Z 322 659 460
Return Receipt Requested

Norman Koplon, Commissioner
City of Atlanta
68 Mitchell Street
Atlanta, GA 30335

Re: *Ante litem* Notice of Claim of Jerri Duncan Gill for Money Damages Against The City of Atlanta, Fulton County and Atlanta Airport Marta Station

Date of Injury: December 11, 1999

Our File No.: 3000.0178

Dear Mr. Koplon:

Pursuant to the provisions of O.C.G.A. §§36-33-5 and 36-11-1, please be advised that this law office has been retained to represent Jerri Duncan Gill in connection with injuries sustained as a result of an incident that occurred on the premises of the Atlanta International Airport Marta Station on December 11, 1999. This notice is being given within the time prescribed by law, and it is the intent of the parties to place the City and County on notice of the claims involved through this letter as prescribed by O.C.G.A. §§36-33-5 and 36-11-1.

The substance of the occurrence in question concerns the failure to properly and safely maintain the area coming off of the escalator near the Marta train entrance to the Airport. The injury occurred to Jerri Duncan Gill when she fell, seriously injuring her knee, requiring surgery and hospitalization.

As a result of this incident, Ms. Gill required hospitalization at South Fulton Medical Center. Surgery was performed on her and she has incurred medical expenses in excess of \$15,000.00 and continues to experience emotional and physical trauma as a result of this incident. Further, she has limited use of her knee and leg.

As of yet, we have not obtained Ms. Gill's full medical records and bills, and her prognosis has not been finalized. Nevertheless, we are in the process of gathering her bills and records and will be pleased to provide them to you upon receipt of same.

On behalf of Ms. Gill, I hereby request I be contacted by the proper authorities on behalf of the City of Atlanta and Fulton County to enter into settlement negotiations with respect to this claim. We anticipate that the damages eventually alleged will not be less than \$50,000.00.

Your prompt attention to this matter would be appreciated.

Very truly yours,

TEMPLE, STRICKLAND & DINGES



William D. Temple, Sr.

WDT/csw
cc: Sue Maney, MARTA
Jerri Duncan Gill

00- -1600